

REMARKS

Claims 1-3, 5-14, 16, 18-23 and 29-35 are now pending. By this Amendment, claims 1 and 13 are amended; claims 15 and 24-28 are canceled; and claims 30-35 are added.

Support for the amendments can be found in the original specification at, for example, paragraphs [0020], [0014], [0010] and [0050] of the published version of this application. In particular, paragraph [0050] specifically refers to water as a constituent component of skin, rather than as an excipient or vehicle. See also paragraphs [0062], [0063] and [0064] in which the amount of water is less than 50% by weight of the composition.

Claims 1-3, 5-7, 12-16, 23 and 24 are rejected under 35 U.S.C. §102 as being anticipated by admitted prior art. In particular, the Patent Office indicates that "water meets the limitations of applicant's claims." Applicant respectfully traverses the rejection.

Claim 1 recites that the composition recites at least two different biodermal constituents. Thus, claim 1 does not read on water.

Furthermore, claim 1 has been amended to recite that if water is present, it is only a minor portion by weight of the composition. Thus, the amended claim clearly does not read on water.

Water does anticipate claim 1. Therefore, the rejection of claim 1 and claims dependent thereon should be reconsidered and withdrawn.

Claims 1-3, 5-9, 12-16 and 21-29 are rejected under 35 U.S.C. §102 over WO 94/18945. In addition, claims 1-3, 5-16 and 21-29 are rejected under 35 U.S.C. §103 over WO 94/18945. Applicant respectfully traverses the rejections.

WO 94/18945 is directed to a cosmetic composition containing corneocyte proteins or polypeptides in a cosmetically acceptable vehicle. See the Abstract. See also page 3, first paragraph, second sentence, and page 6, second paragraph, first sentence. In addition, WO 94/18945 specifically recites that the cosmetically acceptable vehicle is suitable for

topical application to skin, hair and/or nails. Page 10, first paragraph, first sentence. Furthermore, as indicated in WO 94/18945, "vehicles are substances which can act as diluents, dispersants, or solvents for the proteins or polypeptides which ensure that they can be applied to and distributed evenly over the skin, hair and/or nails at an appropriate concentration." Page 10, last paragraph.

WO 94/18945 does not teach or suggest a composition in a form adapted for direct application onto surface parts of a human body, comprising a biodermal fraction representing 98-100% by weight of said composition, the composition having no excipient or vehicle adapted to said form of the composition. In contrast, WO 94/18945 specifically teaches that the cosmetic compositions described therein comprises a cosmetically acceptable vehicle.

WO 94/18945 does not teach or suggest the invention of claim 1. Therefore, the rejection of claim 1 and claims that depend thereon should be reconsidered and withdrawn.

Claims 1-3, 6-8, 13-16, 21, 23 and 25-29 are rejected under 35 U.S.C. §102 over WO 97/25023. Applicant respectfully traverses the rejection.

WO 97/25023 is directed to a skin treatment preparation comprising various components, a vehicle and/or an excipient. See the Abstract. See also page 2, lines 29-32, page 5, lines 17-25, page 6, lines 16 and 37, and page 7, lines 4-6 and 32-35.

WO 97/25023 does not teach a composition in a form adapted for direct application onto surface parts of a human body, comprising a biodermal fraction representing 98-100% by weight of the composition, the composition having no excipient or vehicle adapted to said form of the composition.

WO 97/25023 does not teach each and every feature of claim 1. Therefore, the rejection of claim 1 and claims that depend thereon should be reconsidered and withdrawn.

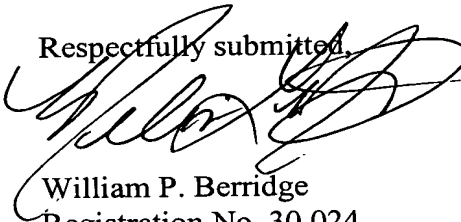
Claims 30-35 have been added to further define the invention. Claim 30 is directed to a composition comprising a biodermal fraction representing 98-100% by weight of the

composition, wherein, where water is one of the biodermal constituents, it represents a minor portion by weight of the composition. Claims 31-35 depend from claim 30. The cited references do not teach or suggest a composition containing at least 98% by weight biodermal constituent, where water is only a minor component to the composition.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3, 5-14, 16, 18-23 and 29-35 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: October 7, 2004

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